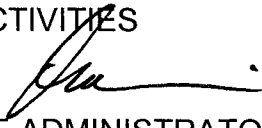




GSA Acquisition Letter MV-01-03

MEMORANDUM FOR ALL CONTRACTING ACTIVITIES

FROM: DAVID A. DRABKIN  05/04/01
DEPUTY ASSOCIATE ADMINISTRATOR
FOR ACQUISITION POLICY (MV)

SUBJECT: GSA Procedures on Project Labor Agreements (PLAs)
on Federal and Federally Funded Construction Projects

1. Purpose. This Acquisition Letter implements Executive Order 13202, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects, dated February 17, 2001 (66 FR 11225) was amended by Executive Order 13208, signed April 6, 2001 (66 FR 18717).

2. Background. GSAM 536.271 implemented Executive Order 12836 and a Presidential memorandum dated June 5, 1997, that authorized executive departments and agencies to require PLAs on large and significant construction projects for facilities to be owned by a Federal department or agency. Executive Order 13202 rescinded that Executive Order and Presidential memorandum. Executive Order 13202 directs executive departments and agencies to remain neutral as it relates to labor relations on Federal and Federally funded construction contracts. Accordingly, GSAM coverage 536.271, 536.570-14 and 552.236-83 no longer applies and is deleted. In addition, delete the reference to 536.271 at 570.101 (b).

3. Effective Date. Date of issuance.

4. Termination Date. This Acquisition Letter remains in effect until the GSAM is amended.

5. Applicability. This Acquisition Letter applies to all GSA activities authorized to award contracts for construction of facilities to be owned by a Federal department or agency.

6. Instructions.

(a) Any construction contract awarded after the date of the Executive Order must adhere to the Order. Construction contracts and subcontracts awarded before the date of this Executive Order are not affected. Contracting officers should amend any solicitation for construction to delete the clause and any other language related to Project Labor Agreements, except as provided in paragraph 6 (b) below.

(b) Contracting officers may continue to use the clause at 552.236-83 as a guide for preparing a clause for a project that meets all the following conditions:

(1) There is an existing PLA on the same project.

(2) At least one construction contract was already awarded before the Executive Order.

(3) GSA wants to continue the PLA on new contracts on the project.